THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1411 of 2007

Dated:25.01.2007

Between:

Chinamala Pedda Raju and others.

…Petitioner

and

The Revenue Divisional Officer and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1411 of 2007

ORDER:

The three petitioners are residents of Somireddipalli Village of Brahmamgari Matham in Kadapa District. They filed the present Writ Petition aggrieved by a notice dated 12.12.2006 issued by the first respondent directing them to appear for the enquiry on 23.12.2006 at 11.00 am along with documentary evidence showing the title over the lands in connection with Survey No.403 of Somireddipalli Village.

It is the case of the petitioners that Butta Veeraiah @ Kudumala Veeraiah and Pitchaiah were brothers. They were owners of land admeasuring Acs.3.65 cents in Survey No.403. After the death of Kudumala Veeraiah, his son, Polaiah, succeeded to the property. Polaiah married Hussainamma, and the couple was blessed with a male child. However, Polaiah left the Village and his whereabouts are not known. Hussainamma continued to enjoy the property and she obtained Pattadar Pass Book and Title Deed. The petitioners purchased the said property under a registered sale deed dated 08.11.2004. However, the third respondent fabricated the documents and approached the first respondent for enquiry. It is the contention of the petitioners that the revenue authorities cannot decide the question of title nor can direct the petitioners to handover possession to the third respondent or others.

There cannot be any dispute that the revenue authorities are ill equipped to decide complicated questions of title nor it can direct the parties to deliver the possession to others if there is a dispute about the title. However, by reading the impugned notice, it is not possible to assume that the first respondent is exercising such jurisdiction. On a complaint made by the third

respondent, an enquiry is sought to be conducted, and therefore, nothing prevents the revenue authorities to conduct such enquiry in respect of agricultural land. It is always open to the petitioners to place necessary material before the first respondent and plead their case. The Writ Petition is misconceived.

The Writ Petition is therefore, dismissed, subject to the above observations. No costs.

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(V.V.S.RAO, J)

25.01.2007
vs